IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No. 3453 of 2007
With
CRIMINAL MISC.APPLICATION No. 5385 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE D.H.WAGHELA Sd/-

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ? **1 to 5 NO**

==========

CHANDUBHAI JEGABHAI CHEKHALIYA - Applicant(s)
Versus
THE STATE OF GUJARAT & 12 - Respondent(s)

==========

Appearance :
(In Cr.M.A. No.3453 of 2007)
MR LR PATHAN for Applicant(s) : 1,
MR KT DAVE ADDL PUBLIC PROSECUTOR for Respondent(s) : 1,
MR BA SURTI for Respondent(s) : 2 - 13.

(In Cr.M.A. No.5385 of 2007)

MR DIPEN DESAI for Applicant(s): 1,
MR BA SURTI for Respondent(s) :1 - 12.

==========

CORAM : HONOURABLE MR.JUSTICE D.H.WAGHELA

Date : 20/07/2007

ORAL JUDGMENT :

1. By both these petitions, the original complainant and the State have challenged the same order releasing the respondent-accused persons on bail. It was jointly submitted, on the basis of the statement of fact made by learned A.P.P. Mr.K.T.Dave and Mr.Anuja Thakur appearing with learned advocate Mr.B.A.Surti that trial against the respondent-accused persons was under way and the parties would have no objection to the trial being expeditiously conducted and concluded in accordance with law, more particularly in tune with the provisions of section 309 of the Criminal Procedure Code, 1973. Therefore, the applications have practically become infructuous and requested to be disposed as such.

2. Accordingly, both the applications are disposed as having become infructuous with the observation that the trial Court will proceed with the trial against the respondent-accused persons in accordance with law and as expeditiously as practicable and preferably on day-to-day basis. Notice/Rule is discharged with no order as to costs.

Sd/-

(D.H.Waghela, J.)

(KMG Thilake)